

## **REMARKS**

### **Claim Rejections – 35 USC § 102**

Claims 1, 11-12 and 22 were rejected under 35 USC §102 as being anticipated by the Sony Japanese patent document 11-66766. The Office Action asserts that this reference shows a suspension having, among other features, a shock limiter integrally formed solely of the material of the spring region of the load beam.

The applicant's respectfully disagree with this position. The Sony Japanese patent does not, for example, disclose a shock limiter formed solely of the material of the spring region. By this response, however, claims 1, 11 and 22 have been amended to more particularly point out and distinctly claim this invention and to distinguish this invention from the Sony Japanese patent and other references of record. In particular, these claims and claim 12 now recite a head suspension or load beam having a spring region with an opening. The claims have also been amended to characterize the shock limiter as having a cantilevered portion within the opening. A head suspension or load beam having these features and associated advantages is neither taught nor suggested by the Sony Japanese patent. Withdrawal of the §102 rejection is therefore requested.

### **Claim Rejections – 35 USC § 103**

Claims 1-3, 8-13 and 22 stand rejected under 35 USC § 103 as being unpatentable over the Berding U.S. Patent 5,936,803. Briefly, the Office Action asserted that the Berding patent discloses a suspension having an integrally formed shock limiter, but noted that the reference is silent regarding the limiter being formed without additional mass added to the load beam. However, the Office Action states that there is no invention in forming two known rigidly attached pieces as a single element absent evidence of unexpected results, and that such a one-piece construction is obvious.

These stated reasons for rejection appear to overlook a very important difference between the claimed invention and the Berding patent. The Berding patent is directed to a mass balancing suspension. Accordingly, it has a balancing member (160) that supports a discrete counterweight or balancing mass (164). The balancing mass is formed from

stainless steel, and is welded or otherwise attached to the balancing member (Col. 6, lines 52-56). The tabs or limiters (166) on the balancing member are described as being optional.

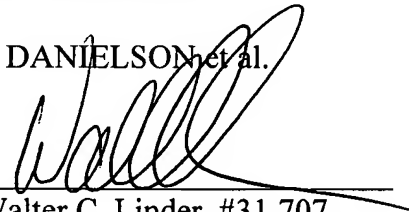
Claims 1-3, 8-13 and 22 do not recite a mass balancing suspension. In fact, they recite a head suspension or load beam "without additional mass." No process steps including additional mass, whether they involve "integral" components or not, are necessary to fabricate the claimed invention. The claimed suspension can therefore be relatively efficiently fabricated. Furthermore, given the mass balancing nature of the suspension shown in the Berding patent and the fact that the claimed invention does not have these characteristics, the complete lack of the mass balancing structure is not an obvious variation of the Berding patent. Removal the counterweight shown in the Berding patent would effectively destroy the operational nature of the suspension shown in this patent. Withdrawal of the §103 rejection is therefore requested.

In conclusion, all pending claims 1-3, 8-13 and 22 are now in condition for allowance. Entry of this amendment and allowance of the application are requested.

Respectfully Submitted,

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